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UNITED STATES PATENT AND TRADEMARK OFFICE



31 JUL 2001

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/831426	BORDON-PALLIER	F 146.1364
RECEIVED		INTERNATIONAL APPLICATION NO.
BIERMAN MUSERLIAN AND LUCAS 600 THIRD AVENUE NEW YORK, NY 10016		PCT/FR99/02738
		I.A. FILING DATE
		09 NOV 99
BIERMAN, MUSERLIAN AND LUCAS		10 NOV 98
		20 JUL 2001
DATE MAILED:		

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
  - a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):
    - U.S. Basic National Fee.
    - Copy of the international application.
    - Oath or Declaration of inventor(s).
    - Copy of Article 19 amendments.
    - Priority Document.
    - The International Preliminary Examination Report in English and its Annexes, if any.
    - Translation of Annexes to the International Preliminary Examination Report into English.
    - Indication of Small Entity Status.
    - Translation of the international application into English.
    - Translation of Article 19 amendments into English.
    - Other: IB 331, 306, ISA/210-REFERENCES, PREL. AMENDMENT, INFO. DISCLOSURE STATEMENT, DNA DISKETTE, SEQUENCE LISTING
2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
  - U.S. Basic National Fee.
  - Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
  - a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*Sep 25, 01*

*A copy of this notice MUST be returned with this response.*

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875  PCT/DO/EO/920

Christine S. Washington  
 Telephone: 703-305-3752

(+1) Oct 25  
 (+2) Nov 25  
 (+3) Dec 25  
 (+4) Jan 25, 02

FORM PCT/DO/EO/905 (March 2001)

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UNITED STATES PATENT AND TRADEMARK OFFICE



31 JUL 2001

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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09/831426

BORDON-PALLIER

F 146.1364

INTERNATIONAL APPLICATION NO

PCT/FR99/02738

I.A. FILING DATE PRIORITY DATE

09 NOV 99

10 NOV 98

25 JUL 2001

 BIERMAN MUSERLIAN AND LUCAS  
 600 THIRD AVENUE  
 NEW YORK, NY 10016

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE  
CALL:

- (703) 308-4216, for Rules interpretation,
- (703) 308-4212, for CRF submission help,
- (703) 287-0200, for PatentIn software help.

Christine S. Washington

Telephone: 703-305-3752



08-01-01 518 Rec'd ST/PTO 31 JUL 2001 PCT

146.1364

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
F. BORDON-PALLIER et al  
Serial No.: 831,426  
Filed: May 8, 2001  
For: HUMAN...PROTEIN

600 Third Avenue  
New York N.Y. 10016  
July 31, 2001

RESPONSE TO NOTICE OF MISSING REQUIREMENTS

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

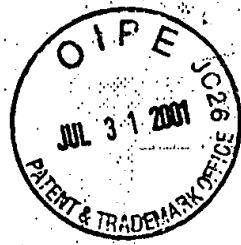
Responsive to the notification of missing requirements dated July 25, 2001, Applicants wish to point out to the Patent Office that the filing of the application was completed on July 23, 2001 as can be seen from the copy of the return receipt card submitted herewith. Also submitted herewith is a copy of the transmittal letter showing that it was express mailed on that day. Also enclosed is a copy of the notification. Since the filing of the application is complete, it is requested that the application be forwarded to the group for examination in due course.

Respectfully submitted,  
Bierman, Muserlian and Lucas

By:

  
Charles A. Muserlian #19,683  
Attorney for Applicants  
Tel.# (212) 661-8000

CAM:ds  
Enclosures



10 RE 2001-31 JUL 2001

146.1364

July 23, 2001

CAM:ds

In re Application of: F. BORDON-PALLIER et al  
Serial No.: 831,426  
Filed: May 8, 2001  
For: HUMAN...PROTEIN

Received: Response (1 page)  
Paper Sequence Listing (7 pages)  
Computer readable diskette

